

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 90-815-C - ORDER NO. 91-1082 ✓

DECEMBER 4, 1991

IN RE: Request of Southern Bell Telephone	) ORDER
and Telegraph Company for Approval	) DENYING
of Revisions to its General	) MOTION OF
Subscriber Service Tariff	) CONSUMER ADVOCATE

This matter comes before the Public Service Commission of South Carolina (the Commission) on the November 14, 1991, Motion of the Consumer Advocate for the State of South Carolina (the Consumer Advocate) to consolidate consideration of the implementation of the services Bulk Calling Line Identification (BCLID), Automatic Number Identification (ANI), Call Detailed Information (CDI), and Simplified Message Desk Interface (SMDI) with the hearing to consider the implementation of Caller ID service in Docket No. 89-638-C. Southern Bell Telephone and Telegraph Company (Southern Bell) has filed a Return in Opposition to this Motion. Further, Southern Bell moves for immediate approval of the above-stated features which are a part of Open Network Architecture (ONA).

On December 11, 1990, Southern Bell filed for revisions to its General Subscriber Service Tariff to introduce a number of new or newly unbundled network services. These services were

identified by Southern Bell through the ONA process. As noted in the Application, BCLID, SMDI, and ANI were noted to be similar to the Company's proposed offering of Caller ID service in Docket No. 89-638-C. On April 11, 1991, a hearing was held on Southern Bell's request for revisions to its tariff. The Company presented testimony in support of its Application. On July 22, 1991, the Commission issued Order No. 91-599, in which we approved certain limited revisions to Southern Bell's General Subscriber Services Tariff. In this Order, we found that BCLID, ANI and CDI were similar to Caller ID and that we would hold in abeyance a determination of the propriety of these features, pending a decision on Caller ID by the South Carolina Supreme Court.

On July 30, 1991, the Consumer Advocate filed with the Commission a Petition for Reconsideration of Order No. 91-599, in which he requested that approval of SMDI also be held in abeyance. On August 14, 1991, the Commission issued Order No. 91-701, which granted this request, finding that SMDI is at least arguably similar in nature to Caller ID. On October 7, 1991, the South Carolina Supreme Court issued its decision on Caller ID, in which the Circuit Court Order, which found that Caller ID did not violate the State's trap and trace laws nor did it violate any right to privacy, was affirmed. A Petition for Rehearing by the Consumer Advocate was subsequently denied.

Now that the Supreme Court has issued its ruling on Caller ID, the Commission may now return to the instant Docket and consider the Motions before it. After careful consideration of


the evidence in the case obtained at the hearing on April 11, 1991, and the record as a whole, the Commission holds that the Consumer Advocate's Motion must be denied. This Commission holds that sufficient and substantial evidence was presented at the hearing on April 11, 1991, to enable this Commission to make a decision on the issue of whether Southern Bell should be allowed to implement BCLID, ANI, CDI, and SMDI. No additional evidence is necessary. However, the Commission hereby holds in abeyance its decision on Southern Bell's Motion for immediate approval of these Open Network Architecture Features and will issue a ruling on these matters in a future Order.

IT IS THEREFORE ORDERED:

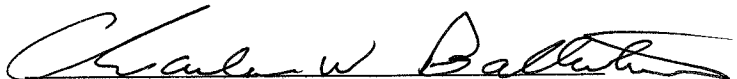
1. The Consumer Advocate's Motion to consolidate consideration of BCLID, ANI, CDI, and SMDI with a hearing on the implementation of Caller ID is hereby denied.
2. That sufficient and substantial evidence has been placed into the record to allow the Commission to enable the Commission to make a decision on this matter.
3. That the Commission holds in abeyance at this time its ruling on Southern Bell's Motion for immediate approval of these features.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)